

JACOB M. HEATH (STATE BAR NO. 238959)
jheath@orrick.com
ORRICK, HERRINGTON & SUTCLIFFE LLP
1000 Marsh Road
Menlo Park, CA 94025-1015
Telephone: +1 650 614 7400
Facsimile: +1 650 614 7401

RYAN D. BOOMS (STATE BAR NO. 329430)
rbooms@orrick.com
ORRICK, HERRINGTON & SUTCLIFFE LLP
2100 Pennsylvania Avenue NW
Washington, D.C. 20037
Telephone: +1 202 339-8400
Facsimile: +1 202 339-8500

Attorneys for Defendant
Meta Platforms, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANDREW U.D. STRAW,
Plaintiff,
v.
FACEBOOK,
Defendant.

Case No. 24-cv-8625-PHK

**DECLARATION OF MICHAEL DUFFEY
IN SUPPORT OF DEFENDANT META
PLATFORMS, INC.'S REQUEST FOR
JUDICIAL NOTICE IN SUPPORT OF ITS
MOTION TO DISMISS PLAINTIFF'S
COMPLAINT WITH PREJUDICE**

Date: March 28, 2025
Time: 1:00 pm
Courtroom: F, 15th Floor
Judge: Hon. Peter H. Kang

1 I, Michael Duffey, declare as follows:

2 1. I am a Case Manager on the eDiscovery and Information Governance Legal team
3 at Defendant Meta Platforms, Inc. ("Meta"). I am familiar with the facts and circumstances set
4 forth herein and submit this declaration in support of Meta's Request for Judicial Notice in
5 support of its Motion to Dismiss Plaintiff's Complaint With Prejudice.

6 2. As part of my current role, I am regularly involved in assisting with the collection
7 of documents, data, and information related to the services Meta provides, such as Facebook,
8 including Facebook's Terms of Service (the "Terms").

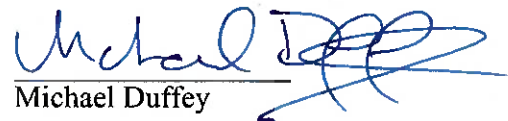
9 3. Every person who registers for, uses, and continues to use the Facebook service
10 agrees to the Terms as a condition of using the Facebook service.

11 4. Attached as **Exhibit A** is a true and correct copy of the Terms, published by Meta
12 and in effect from at least January 1, 2024 to at least December 8, 2024.

13 5. Attached as **Exhibit B** is a true and correct copy of the Terms, published by Meta
14 and preserved by the Internet Archive's WayBack Machine as the Terms existed on December 8,
15 2024.

16 I declare under penalty of perjury of the laws of the State of California and the laws of the
17 United States that the foregoing is true and correct.

18 Executed on February 12, 2025.

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21 Michael Duffey
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